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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

DARYL M FERGUSON AND  
JULIE LEA FERGUSON,

Debtors.

IN CHAPTER 13 PROCEEDING  
NO. 10-17705

EX PARTE APPLICATION FOR ORDER  
DISMISSING CASE FOR FAILURE TO  
TIMELY FILE SCHEDULES, STATEMENTS,  
PLAN AND/OR LISTS

The Chapter 13 Trustee, as delegated by the U.S. Trustee, pursuant to Local Bankruptcy Rule 1017-2(b), applies *ex parte* for an Order dismissing this case.

The Court file reflects that the debtors received prior notice that the U.S. Trustee may file an *ex parte* motion to dismiss this case if they fail to timely file schedules, statements, plan and/or lists. The applicable deadline or extension date has passed, and the required Schedules, Statements, Plan and/or Lists. Under the circumstances, dismissal of this case is warranted.

Based on the foregoing, the Trustee requests entry of an Order dismissing this case.

**DATED** this 20th day of August, 2010.

/s/ K. Michael Fitzgerald

K. Michael Fitzgerald, WSBA #8115

Chapter 13 Trustee

EX PARTE APPLICATION FOR  
ORDER DISMISSING CASE

Chapter 13 Bankruptcy Trustee  
600 University St. #2200  
Seattle, WA 98101  
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[www.seattlech13.com](http://www.seattlech13.com)

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